



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Licensing

- ☒ **Preproposal Statement of Inquiry was filed as WSR 09-21-055; or**
☐ **Expedited Rule Making--Proposed notice was filed as WSR _____; or**
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☒ **Original Notice**
☐ **Supplemental Notice to WSR _____**
☐ **Continuance of WSR _____**

Title of rule and other identifying information: (Describe Subject) Chapter 308-20 WAC, Cosmetology, Barber, Manicurist and Estheticians.

Amends:

- WAC 308-20-010 Definitions
- WAC 308-20-040 Student Records
- WAC 308-20-107 Use and training of instructor-trainees
- WAC 308-20-115 Reciprocity—persons licensed in other jurisdictions
- WAC 308-20-120 Written and performance examinations
- WAC 308-20-572 Preinspection of schools
- WAC 308-20-575 School license renewal process

Hearing location(s):

Department of Licensing
 Building 2, Conference Room 209
 405 Black Lake Blvd SW
 Olympia, WA 98502

Submit written comments to:

Name: Cameron Dalmas
 Address: Department of Licensing
 Cosmetology Program
 P.O. Box 9026
 Olympia, Washington 98507
 e-mail ndalmas@dol.wa.gov
 fax (360)664-2550 by (date) February 19, 2010

Date: February 24, 2010 Time: 2:30 p.m.

Assistance for persons with disabilities: Contact

Date of intended adoption: February 25, 2010
 (Note: This is NOT the effective date)

Cameron Dalmas by February 19, 2010
 TTY (360) 664-8885 or (360) 664-6643

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

Purpose: The following rule changes clarify language for monthly student reports, instructor-trainees, reciprocity, and school inspections and renewals. The amendment of WAC 308-20-120 will allow the department to open the contract up for bidding from other potential examination proctors.

WAC 308-20-010 Definitions: Subsection (2) adds language to the existing rule to include that the monthly student report must include the month and year.

WAC 308-20-040 Student Records: Subsection (1) adds language to the existing rule to include that each monthly student report shall include the month and the year. Subsection (4) adds language to the existing rule to include that schools shall maintain student records on the school premises.

WAC 308-20-107 Use and training of instructor-trainees: Subsection (2) adds language to the existing rule to include that instructor-trainees shall hold a current Washington State cosmetology, barber, manicurist or esthetician license "in good standing" prior to becoming an instructor-trainee.
 WAC 308-20-115 Reciprocity --Persons licensed in other jurisdictions: Subsection (4) adds language to the existing rule to include that the department shall issue a license to any person who provides proof that he or she has passed an examination approved by the director. Removes: "approved examinations with the minimum passing score approved by the director."

WAC 308-20-120 Written and performance examinations: Removes subsection (2) that specifies the National Interstate Council of State Boards of Cosmetology (NIC) examinations as the approved written and performance examinations required for applicants.

WAC 308-20-572 Preinspection of Schools: Changes the section title to Inspection of schools. Subsection (1) Adds language to existing rule to include that prior to approval of "application or renewal" for licensure, any person wishing to operate a school shall submit to an inspection of the site.

WAC 308-20-575 School License Renewal Process: Adds language to include that a site inspection shall accompany the renewal request for schools.

Statutory authority for adoption: RCW 18.16.030, RCW 43.24.023

Statute being implemented: RCW 18.16.030

Is rule necessary because of a:

- Federal Law? ☐ Yes ☒ No
 Federal Court Decision? ☐ Yes ☒ No
 State Court Decision? ☐ Yes ☒ No
 If yes, CITATION:

DATE

January 20, 2010

NAME (type or print)

Walt Fahrer

SIGNATURE

Walt Fahrer

TITLE

Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: January 20, 2010
 TIME: 9:53 AM

WSR 10-03-094

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization)

- ☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Susan Colard	405 Black Lake Blvd SW, Olympia WA 98502	(360) 664-6647
Implementation....	Susan Colard	405 Black Lake Blvd SW, Olympia WA 98502	(360) 664-6647
Enforcement.....	Susan Colard	405 Black Lake Blvd SW, Olympia WA 98502	(360) 664-6647

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

The proposed rules will have minor impact to businesses in the industry.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain: RCW 34.05.328 does not apply to this rule revision. Washington State Department of Licensing is not a named agency, therefore, exempt from the provision.